



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.
Commissioner

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

No. 2451673240
Michael J. Rudick
Vice President and General Counsel
Occidental Chemical Corporation
5005 LBJ Freeway
Occidental Tower
Houston, Texas 75244

SDMS Document



101177

AUG 22 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

No. 2451673241
D. L. Smith, President
Chemical Land Holdings, Inc.
717 North Harwood Street
Dallas, Texas 75201

Re: Diamond Alkali Superfund Site, City of Newark, Essex County, New Jersey
Irrevocable Standby Letter of Credit No. LA-47950084

Gentlemen:

The New Jersey Department of Environmental Protection (NJDEP) was notified (copy enclosed) by The Sumitomo Trust & Banking Co., Inc., that it does not wish to extend the referenced Irrevocable Standby Letter of Credit (ISLOC) beyond its current maturity date of November 3, 1997.

You are hereby placed on notice that prior to the maturity date noted above your companies are obligated to obtain a new ISLOC in the amount of sixteen million dollars. As you well know, this obligation is described in Section XVIII of the Consent Decree lodged on November 19, 1990, in Civil Action No. 89-5064 (JWB), by the Honorable John W. Bissel, United States District Judge. The new ISLOC shall be in effect on or before the maturity date of the existing ISLOC. Additionally, the new ISLOC must contain the following specific language, "The (name of institution), as issuer of this Letter of Credit, agrees that it will be subject to the jurisdiction of the New Jersey Superior Court for all matters comprising such issuers obligations to either of the above named beneficiaries and arising under this letter of credit."

Please contact Pat Evangelista, at 212-637-444, for any input to be provided by the United States Environmental Protection Agency. I am available at 609-633-0737 should you or your agents have any question regarding this matter.

Sincerely,

Jonathan D. Berg, Case Manager
Bureau of Federal Case Management

c: P. Evangelista, USEPA
Alex Pittignano, CLH, Inc.